Case Summary — Nelson Angelo Piquet v. União Federal (“PerfumeGate”)

Case No. 5009763-53.2025.4.03.6301
11ª Vara Gabinete JEF de São Paulo – Justiça Federal da 3ª Região (TRF3)**

Type: Procedimento do Juizado Especial Cível (Small Claims Civil Procedure) – **Material Damages Claim** under Brazil’s federal administrative liability framework.

Parties

- **Plaintiff:** *Nelson Angelo Piquet* (represented by Juliana Cristina de Godoy Arriagada, OAB/SP 375491, and Thiago Matos Xavier, OAB/SP 346389)
- **Defendant:** *União Federal (Fazenda Nacional)*
- **Presiding Judge:** *Ana Lúcia Petri Betto*

Core Dispute

Filed on **March 13, 2025**, this action sought compensation of **R$4,830.35** for **material damages** allegedly caused by federal customs officials.

According to the complaint (*Piquet-Junior-Perfume-50097635320254036301-01-Process-Movement-History.pdf*; *-02-Jusbrasil-Movement-History.pdf*; *-03-Final-Sentence-R4830-Payout.pdf*), the incident occurred on **June 8, 2024**, when Piquet returned from the United States via **Guarulhos International Airport**. During a routine customs inspection, an officer allegedly broke his **Tom Ford “Jasmin Rouge” perfume** (valued at R$4,830.35), as recorded in **Termo de Retenção de Bens nº 081760024035579TRB01**.

After the event, Piquet submitted a reimbursement request to the **Receita Federal (Federal Revenue Service)**, which denied compensation on the grounds that he was **“exclusively at fault”** for improper packing — specifically, transporting the bottle **“loose, among clothes, and outside its original packaging.”**

Defendant’s Arguments

The **Union’s defense** contested liability, claiming:

- The damage was due to **improper packaging**, breaking the causal link (“nexo causal”).
- The customs agent acted within normal duties and committed no irregularity.
- The plaintiff failed to **prove the product’s value**, having presented only an **internet link** instead of a receipt or invoice.

The defense thus requested **dismissal** of the claim.

Judicial Findings

The court determined that:

1. **The damage was proven** — both the customs report and the government's administrative record acknowledged the perfume was broken during inspection.
2. **Causation was direct** — the bottle broke during state activity, fulfilling the criteria for **objective state liability** under **Article 37, §6º of the Federal Constitution**, which holds public entities accountable for damages caused by their agents.
3. **No "exclusive fault of the victim"** was demonstrated — Judge Betto held that, even if the item was poorly packed, it was foreseeable that fragile items might be present in luggage. Customs agents are expected to handle baggage carefully.
4. **Value accepted as claimed** — since the Union failed to provide contrary evidence, the court accepted the amount of **R$4,830.35** as valid

Decision

On **October 24, 2025**, Judge **Ana Lúcia Petri Betto** issued a **sentença tipo A**, ruling:

> *"I hereby rule in favor of the plaintiff's claim against the Union, ordering it to compensate for the material damages suffered [...] in the amount of R$4,830.35, adjusted for inflation and with interest accruing from June 8, 2024, in accordance with the Federal Court's Calculation Manual."*

No legal costs or attorney fees were imposed.
(*Source: Piquet-Junior-Perfume-50097635320254036301-03-Final-Sentence-R4830-Payout.pdf*)

Summary Assessment

The ruling is a textbook application of **objective administrative liability** for a **low-value consumer good** damaged during a state act. The Union didn't counter the claimed value with evidence, so the court accepted the plaintiff's quantum and imposed correction/interest.

In isolation, the case is routine. In context, **the plaintiff is Kelly Piquet's brother and the son of a three-time F1 world champion**. It reads as an assertive use of federal small-claims machinery over a luxury item. The contrast is the point: minor pecuniary loss, maximal institutional venue.